

REMARKS

Applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of April 25, 2003.

Claims 1-20 were presented for examination.

Claims 1, 10 and 19 are independent claims.

Claims 1-8 and 19 stand rejected as being anticipated by Cullen et al., U.S. Patent No. 6,397,213.

Claims 10-17 stand rejected as being unpatentable over the combination of Cullen et al. and Covington et al., U.S. Patent No. 5,524,193.

Lastly, claims 9, 18 and 20 stand rejected as being unpatentable over Cullen et al., in view of Applicant's Admitted Prior Art (APA).

Thus, each of the rejections set forth is based either solely as being anticipated by Cullen et al. '213, or in combination with Cullen et al. and another cited reference.

Applicant notes that the Cullen et al. patent issued May 28, 2002. The present application was filed November 11, 1999.

In reviewing Applicant's records, Applicant has determined that the present application was reduced to practice prior to the May 12, 1999 filing date of Cullen et al. In view of this, Applicant is submitting herewith a Declaration Under 37 C.F.R. Section 1.131 from the inventor of the present application, declaring that the invention did occur prior to the May 12, 1999 date. In consideration of the attached Declaration and supporting documentation, it is respectfully requested that Cullen et al. '213 be removed as a reference in the present case.

In view of the foregoing, it is respectfully submitted all claims 1-20 remaining in the application are, therefore, in condition for allowance. An early notice to the effect is therefore earnestly solicited.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark S. Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

A handwritten signature in dark ink, appearing to read "Mark Svat", is written over a horizontal line.

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